



MINUTES
Regular Minutes of the Edina Planning Commission
Wednesday, November 29, 2006, 7:00 PM
Edina City Hall Council Chambers
4801 West 50th Street

COMMISSION MEMBERS PRESENT:

Chair Lonsbury, Scherer, Staunton, Schroeder, Fischer, Workinger, Brown, Grabel, Thiss and Student Member Basima Tewfik

STAFF PRESENT:

Cary Teague and Jackie Hoogenakker

I. APPROVAL OF THE MINUTES:

The minutes of the November 1, 2006, meeting were filed as submitted.

II. NEW BUSINESS:

S-06-8	Preliminary Plat Norm Bjornnes Jr. 5901 France Avenue South 4-Lot Subdivision
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Mr. Teague presented his staff report.

Concluding Mr. Teague recommended preliminary approval to the Senior Addition, date stamped November 8, 2006, with lot area variances from 9,269 square feet to 8,794 for two lots, from 9,269 to 8,791 square feet for two lots; lot width variances from 75 feet to 66 feet for each lot; and lot depth variances from 135 feet to 133 feet for all lots. Approval is based on the following findings:

1. Except for the variances, the proposal meets the required standards and ordinance for a preliminary plat.

2. The proposal meets the required standards for a variance, because:
 - a. There is a unique hardship to the property caused by the existing size of the property which has not been subdivided to a size similar to other lots in the neighborhood.
 - b. The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than other properties in the immediate area. The proposed subdivision would result in four properties more characteristic of the neighborhood.
 - c. The variance would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.

Approval is subject to the following conditions:

1. The city must approve the final plat within one year of preliminary approval or receive a written application for a time extension or the preliminary approval will be void.
2. The following items must be submitted to the city before the city releases the final plat:
 - a. Payment of a park dedication fee.
 - b. The existing home and garage must be removed.
 - c. Submit evidence of Minnehaha Creek Watershed District approval. The city may require revisions to the preliminary plat to meet the district's requirements.

The proponent, Mr. Bjornnes was present to respond to questions from the Commission.

Commission Comments:

Commissioners discussed the variances required for the proposed subdivision and concluded if the plat was reduced from four lots to two lots variances would still be required. Discussion focused on the reasonableness of the request with Commissioners in agreement subdividing the property into four lots makes sense. Commissioners did stress if approved the new houses should be constructed without the benefit of variances.

Applicant Comments:

Mr. Norm Bjornnes, 5628 Chowen Avenue, told the Commission he knocked on all 112 doors that comprised the 500 foot neighborhood informing property owners of his request to subdivide his one lot into four. Mr. Bjornnes said at this time his intent is to sell the lots, not develop them. Continuing, Mr.

Bjornnes explained one driveway will serve the lots off France Avenue and the lots on Ewing will be served by individual driveways.

Public Comment:

Mr. John Jespersen, 5912 Ewing Avenue, told the Commission that while he may not be opposed to subdividing the large lot he is concerned with the size of the houses that could be constructed on the new lots. Mr. Jespersen said it appears to him houses in Edina keep getting larger and larger, adding he wants to make sure if the subdivision were approved the houses built on these lots would maintain the character of the neighborhood.

Mr. Craig Ostrom, 5837 Ewing Avenue, informed the Commission he is indifferent to the subdivision; however, he agrees with Mr. Jespersen that the new houses should be constructed in keeping with the character of the neighborhood.

Public Comment Closed.

Commission Comments:

A discussion ensued with a majority of Commissioners in agreement that if the preliminary plat with variances is approved as submitted the new houses constructed on the lots should be constructed without variances and be consistent in size with the mass and scale of the homes in the immediate neighborhood including setbacks. Review by planning staff would be required to ensure these conditions are met. Commissioners also discussed the legality of this condition and concluded they have the ability to impose conditions of approval especially in light of the subdivision requiring variances.

Commissioner Schroeder stated he supports the proposed subdivision including variances as presented; however, he can't support restricting the new houses to regulations above and beyond Code. Commissioner Schroeder added he agrees that the new houses should be constructed to meet Code; however he pointed out neighborhoods are not static; change continually occurs, reiterating he can't support holding the newly platted lots to a different standard.

Commissioner Staunton questioned if the Commission were to approve the four lot subdivision with additional conditions how would the builder or architect know what is required of them beyond Code requirements. Mr. Teague responded staff would have to be "up front" with that condition from the beginning; acknowledging, guidelines could be somewhat subjective. If they decide to appeal these conditions they could apply for a variance.

Commissioner Fischer moved to recommend preliminary plat approval for the four lot subdivision including variances subject to staff

conditions and with additional conditions that the front setback line is established by connecting a parallel line between the adjacent houses at their closest point to the street, the mass and scale of the new houses are to be consistent with the mass and scale of the houses in the immediate area, and new construction is to comply with other all other setback and Code requirements. Commissioner Staunton seconded the motion and requested the motion include findings in support of the subdivision variances: a) There is a unique hardship to the property caused by the existing size of the property which has not been subdivided to a size similar to other lots in the neighborhood. b) The requested variances are reasonable in the context of the immediate neighborhood. The existing lot is both larger and wider than other properties in the immediate area. The proposed subdivision would result in four properties more characteristic of the neighborhood, and c) The variance would meet the intent of the ordinance because the proposed lots are of similar size to others in the neighborhood.

Chair Lonsbury called for the vote: Ayes; Scherer, Staunton, Fischer, Brown, Grabiell, Lonsbury. Nays; Schroeder, Workinger, Thiss. Motion carried.

P-06-8	Final Development Plan DJR Architects/Tom Miller 3201 and 3101 69 th St. West Site Redevelopment
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Mr. Teague presented his staff report.

Applicant Presentation:

Mr. Dovolis, 5009 Ridge Road, addressed the Commission and informed them when designing this project the development team looked at two City documents. The Housing Succession Plan and the Greater Southdale Area Study. Mr. Dovolis said this proposal speaks to the future of Edina and where Edina wants to go. Mr. Dovolis said the design of this proposal is unique and creates a pedestrian friendly environment. Continuing, with the aid of graphics Me. Dovolis said parking will be completely contained within the site. Instead of seeing a large expanse of vehicles from the street the streetscape will be the buildings. The buildings have been designed with large expanses of glass to be transparent thereby brining people in. Mr. Dovolis said the proposal calls for a 14 story mixed use building (lower level retail, upper levels residential apartments) and another four story building targeted for seniors. Mr. Dovolis said keeping in

mind the Housing Succession Plan the senior building was designed to include affordable housing. The intent is to provide 20% of units as affordable at 80% of median income. Concluding, Mr. Dovolis acknowledged this project requests multiple variances, adding it is up to Edina to determine its future and what it wants to see in the greater Southdale area.

Commission and Property Owner Comments:

Commissioner Staunton asked if any consideration was given to fashioning this for a change in zoning. Mr. Teague responded it was considered; however, there really isn't any district that could support this development without the need for variances. Commissioner Staunton commented if the Commission and Council were to approve this request we better be prepared to "do it down the street."

Mr. Miller, property owner addressed the Commission and said during the past year the City was dealing with two large re-development proposals, the Westin and The District/Cypress. One an amendment to an overall development plan and the other zoning changes in a specific zone. Mr. Miller said he was hesitant in approaching the Council with this project during that time. Continuing, Mr. Miller said at this time one of his buildings is vacant and leases will soon expire for other building tenants. Concluding, Mr. Miller said in his opinion this site needs to be redeveloped, and he would like to see it developed with meaning. Mr. Miller stated the buildings have become obsolete.

Public Comment:

Mr. John Bohan, 800 Coventry Place, addressed the Commission and reminded them the Greater Southdale Area Study was accepted - it was not approved. Mr. Bohan said over the past year there has been much discussion on building height, adding as a resident of Edina he should be able to rely on the Code - what is, and not what might be.

Ms. Jo Ellen Dever, 7405 Oaklawn Avenue, told the Commission residents of the greater southdale area are frustrated, and confused, adding no one has asked the community what we want. Ms. Dever said this proposal is too tall and if allowed Edina would not be acting as a good neighbor to Richfield.

Mrs. Bohan, 800 Coventry Place, expressed concern with traffic in the area, especially along West 70th Street.

Mr. Doug Mayo, 6041 Kellogg Avenue, told the Commission he supports the proposal, especially the affordable element, but would like the affordable element placed at 60% of income not the proposed 80%.

Mr. Steven Helgeson, 3609 55th Street West, told the Commission he applauds the efforts of the applicant, adding this project does it right. Mr. Helgeson said with this development York Avenue could become a new main street. Where other developments missed the mark, this one does not.

Close Public Hearing

Commission Comments:

Commissioner Grabiell said in his opinion this project is very interesting, questioning if the applicant is under a time table and if not could the Commission take more time reviewing this proposal and continue this request to the next PC meeting.

Mr. Dovolis, said while there is a time table to consider, they are very interested in hearing feedback from Commissioners and continuing the request to the December meeting if needed.

Commissioner Fischer addressed the Commission and stated he likes the project, adding he believes what this project is trying to achieve makes sense, is a good design, but is in an unfortunate location. Continuing, Commissioner Fischer said he commends the efforts made to step the building down, reducing mass. Commissioner Fischer said he is a little uncomfortable with the proposed four story senior building facing Richfield. He said in his opinion three stories would be better in that location. Commissioner Fischer acknowledged the zoning of this property won't let this happen without variances; however, it is a great project with good features (hidden parking, streetscape, affordable component). Mr. Dovolis thanked Commissioner Fischer and informed Commissioners if they feel they cannot approve this development the site(s) is also being looked at by a number of different retailers who have expressed the desire to construct a new store at this location. Commissioner Fischer acknowledged this is a struggle, a good project, wrong location by Code. Commissioner Fischer said Edina needs to look to the future on what we want our City to be, adding a community dialogue is needed.

Commissioner Grabiell said he has mixed feelings with this proposal. He added he is concerned how Edina relates to Richfield, adding he also doesn't want to see another Walgreen's, Wickes, or another strip mall on this site. Continuing, Commissioner Grabiell said he believes there are some very good points to this proposal, adding maybe there are trade-offs, 3 stories abutting Richfield not 4 and a tower height of 10 stories not 14. Concluding, Commissioner Grabiell stated he believes he could support the project.

Commissioner Schroeder said he believes the design of this proposal is very good, adding he fears the alternative if Code is strictly followed. Commissioner Schroeder pointed out York Avenue provides the City with great

opportunities. Continuing, Commissioner Schroeder stated this project plays down parking completely, addresses the streetscape, and addresses affordable housing, adding he believes this proposal is a step in the right direction. Commissioner Schroeder noted that in his opinion more attention could be paid to how this project relates to Richfield. Concluding, Commissioner Schroeder said he is generally supportive of this project.

Commissioner Brown stated he likes this project, but struggles with exit traffic, and vehicle circulation especially at intersections.

Commissioner Scherer said she finds elements of this proposal very appealing, especially how the building relates to the streetscape and the affordable component. Commissioner Scherer added that she cannot support the proposal as presented because it requires too many variances.

Commissioner Staunton told the Commission he really likes the pedestrian scale of this project, adding a proposal like this makes a great case for rezoning and being more imaginative when considering redevelopment proposals.

Commissioner Thiss explained to the Commission at the time he would abstain from any vote; however he feels this is a good project.

A discussion ensued with Commissioners in agreement the proposal has merit, however, the height of the proposed tower doesn't comply with Code. The Commission also noted the City is currently revising the Comprehensive Plan which provides guidelines for development and redevelopment in the City. Commissioners also expressed their opinion that they need more time to consider this request in light of the variances. Commissioners concluded their opinion of the project at this time is generally favorable.

Chair Lonsbury asked Mr. Dovolis if their team would be willing to table action on their proposal until the next meeting of the Planning Commission on December 27th. Mr. Dovolis said there is no problem tabling this request until then; however, there is a time line they need to meet. Mr. Dovolis requested that their application be continued to the December 27, 2006, Planning Commission meeting.

Chair Lonsbury thanked the development team for being amenable to tabling this request until the Planning Commission meeting on December 27, 2006.

III. INTERGOVERNMENTAL BUSINESS:

Zoning Board Issues:

Commissioners thanked Mr. Teague for his Memo on issues that have cropped up before the Zoning Board from time to time.

Commissioners asked Mr. Teague to provide additional information on Zoning Board issues to include asking other cities if they have time limits on variance applications that were denied before they could re-apply. Mr. Teague said he would contact other cities and report back to the Commission his findings.

Commissioners also requested that staff provide a brief monthly summary of Zoning Board actions. Mr. Teague said staff would be happy to provide that.

Future Workshops:

A brief discussion occurred regarding future training sessions with Mr. Teague informing the Commission workshops will be planned for Commissioners and Zoning Board Members sometime in the near future.

IV. ADJOURNMENT:

Commissioner Scherer moved to adjourn the meeting of the Planning Commission at 9:30 PM.

Submitted by